

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA**

NORTH CAROLINA GREEN PARTY,  
ANTHONY NDEGE, MICHAEL TRUDEAU,  
MATTHEW HOH, SAMANTHA WORRELL,  
SAMANTHA SPENCE, K. RYAN PARKER AND  
AARON MOHAMMED,

Plaintiffs,

v.

NORTH CAROLINA STATE BOARD OF  
ELECTIONS.

Defendant.

Case No. 4:22-cv-00078-D-BM

**MOTION TO INTERVENE AS DEFENDANTS**

The DSCC and North Carolina Democratic Party (“NCDP”) (collectively, the “Proposed Intervenors”), seek to participate as intervening defendants in the above-captioned lawsuit to defend the validity of the Defendant North Carolina State Board of Elections’ decision declining to certify Plaintiff North Carolina Green Party (“NCGP”) as a new political party pending investigation of potential criminal fraud and other irregularities in the signatures on NCGP’s petitions.

As discussed in the memorandum in support, filed concurrently herewith, the Proposed Intervenors are entitled to intervene in this case as a matter of right under Federal Rule of Civil Procedure 24(a)(2). Alternatively, Proposed Intervenors request permissive intervention pursuant

to Rule 24(b). In accordance with Rule 24(c), the Proposed Intervenor's Motion to Dismiss and supporting Memorandum are attached as Exhibit E.<sup>1</sup>

Plaintiffs' counsel has informed Proposed Intervenor's counsel that they oppose this Motion. Defendants' counsel has informed Proposed Intervenor's counsel that they take no position on this Motion at the time of this filing but reserve the right to take a different position as the litigation proceeds.

WHEREFORE, the Proposed Intervenor's request that the Court grant them leave to intervene in the above-captioned matter and to file their proposed Motion to Dismiss.

Dated: July 17, 2022

Respectfully submitted,

/s/ Narendra K. Ghosh

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<sup>1</sup> The Fourth Circuit has held that filing a motion to dismiss satisfies the requirement of Rule 24(c) to provide "a pleading that sets out the claim or defense for which intervention is sought." *See Marshall v. Meadows*, 921 F. Supp. 1490, 1492 (E.D. Va. 1996) ("The Fourth Circuit rejects strict application of Rule 24(c), holding that 'the proper approach is to disregard non-prejudicial technical defects.' . . . At this early stage of the case, where even the named defendants are not yet required to answer, no prejudice to plaintiffs can be shown." (quoting *Spring Constr. Co., Inc. v. Harris*, 614 F.2d 374, 377 (4th. Cir. 1980))).

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\*Notice of Special Appearance Forthcoming

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I caused the foregoing document to be filed and served on all counsel of record by operation of the CM/ECF system for the United States District Court for the Eastern District of North Carolina.

DATED: July 17, 2022

/s/ Narendra K. Ghosh

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